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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/929,286	08/15/2001	Tadamasa Yamanaka	Q65836	8103

7590 10/01/2002

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EXAMINER

LA, ANH V

ART UNIT	PAPER NUMBER
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2632

DATE MAILED: 10/01/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/929,286

Applicant(s)

Yamanaka et al

Examiner

Anh La

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on _____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 6) ☐ Other:

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DETAILED ACTION

1. Claim 4 is objected to because it contains a typographical error. In claim 4, lines 1, the phrase "for according to claim 1" should be changed to --for vehicles according to claim 1--.

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 4, 6 are rejected under 35 U.S.C. 102(b) as being anticipated by Eslaminovin.

Regarding claim 1, Eslaminovin discloses an anti-theft system for vehicles comprising vehicle-theft reporting means 12, an anti-theft service center 14, and an anti-theft apparatus 18 mounted on the vehicle for inhibiting an engine of the vehicle.

Regarding claim 4, Eslaminovin discloses an audio and visual warning 20, 22 to a driver of the vehicle to stop the vehicle.

Regarding claim 6, Eslaminovin discloses the vehicle-theft reporting means being a cellular phone 30.

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 2-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Eslaminovin in view of Gilmore.

Regarding claim 2, Eslaminovin discloses all the claimed subject matter as set forth above in the rejection of claim 1, but does not disclose the anti-theft apparatus inhibiting the engine of the vehicle from restarting in response to reception of the theft signal only when the vehicle is stopped. Gilmore teaches the use of an anti-theft apparatus inhibiting an engine of a vehicle from restarting in response to reception of a theft signal only when the vehicle is stopped (column 3, lines 1-30, col. 5, lines 1-33). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to include the anti-theft apparatus inhibiting the engine of the vehicle from restarting in response to reception of the theft signal only when the vehicle is stopped to the system of Eslaminovin as taught by Gilmore for the purpose of providing a safe stop for the vehicle.

Regarding claim 3, Eslaminovin discloses all the claimed subject matter as set forth above in the rejection of claim 1, and further discloses the anti-theft apparatus blinking lights 20 of the vehicle, but does not disclose continually sounding a horn of the vehicle in response to reception of the theft signal when the vehicle is in motion. Gilmore teaches the use of an anti-theft apparatus continually sounding a horn of the vehicle in response to reception of the theft signal when the vehicle is in motion (column 3, lines 1-30, col. 5, lines 1-33). It would have

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been obvious at the time the invention was made to a person having ordinary skill in the art to include the anti-theft apparatus continually sounding a horn of the vehicle in response to reception of the theft signal when the vehicle is in motion to the system of Eslaminovin as taught by Gilmore for the purpose of attracting attention of any local population.

5. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Eslaminovin in view of Janky.

Regarding claim 5, Eslaminovin discloses all the claimed subject matter as set forth above in the rejection of claim 1, but does not disclose present-location detecting means. Janky discloses present-location detecting means (abstract). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to include present-location detecting means to the system of Eslaminovin as taught by Janky for the purpose of providing a present location of the vehicle when needed.

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Pagliaroli discloses a remotely activated automobile disabling system.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner La whose telephone number is (703) 305-3967. The examiner can normally be reached on Monday--Friday from 7:30 AM to 5:00 PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffery Hofsass, can be reached at (703)-305-4717. The fax phone number for this Group is (703) 872-9314.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or Faxed to:

(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.



Anh V. La
September 28, 2002